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**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH**  
**NORTHERN DIVISION**

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**PAUL STEPHENSON,**

Plaintiff,

v.

**FEDERAL BUREAU OF  
INVESTIGATION,**

Defendants.

**ORDER AFFIRMING  
REPORT & RECOMMENDATION**

**Case No. 1:06cv117DAK**

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This case was assigned to United States District Court Judge Dale A. Kimball, who then referred it to United States Magistrate Judge Paul Warner under 28 U.S.C. § 636(b)(1)(B). Plaintiff's Complaint alleges that the FBI failed to release information to him pursuant to the Freedom of Information Act, 5 U.S.C. § 552.

On December 8, 2006, Judge Warner issued a Report and Recommendation concluding that Plaintiff's Complaint fails to allege that he exhausted all of his administrative remedies under the FOIA. Judge Warner recommended that Plaintiff's Complaint be dismissed because the failure to include such an allegation failed to state a claim upon which relief can be granted.

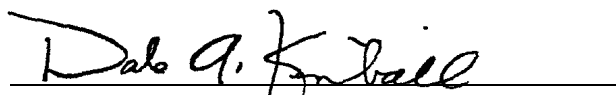
The Report and Recommendation notified the parties that any objection to the Report and Recommendation was required to be filed within ten days of receiving it. On December 14, 2006, Plaintiff filed an objection to the Report and Recommendation. Plaintiff's objections do not address the issue of exhaustion of administrative remedies.

The has reviewed the case de novo and concludes that Plaintiff's objections have no

merit. The court agrees with the Report and Recommendation and hereby adopts it as the order of the court. Accordingly, Plaintiff's Complaint is dismissed.

DATED this 18<sup>th</sup> day of December, 2006.

BY THE COURT:

A handwritten signature in black ink, reading "Dale A. Kimball", written over a horizontal line.

DALE A. KIMBALL  
United States District Judge

A handwritten signature in black ink, reading "Dale A. Kimball", written without a line underneath.